

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 05, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

SARAH MCLAUGHLIN,

Plaintiff,

v.

CITY OF SPOKANE, et al.,

Defendants.

No. 2:24-CV-286-MKD

No. 2:24-CV-189-MKD

ORDER GRANTING MOTION TO
CONSOLIDATE

2:24-CV-286

ECF No. 13

THE ESTATE OF ROBERT
BRADLEY, et al.,

Plaintiffs,

v.

CITY OF SPOKANE, et al.,

Defendants.

Before the Court is Plaintiff Sarah McLaughlin's Motion to Consolidate.

2:24-CV-286, ECF No. 13. On December 3, 2024, the Court held a hearing. 2:24-CV-286, ECF No. 21. Meaghan Driscoll appeared on behalf of Plaintiff Sarah

1 McLaughlin. Brian Augenthaler, Richard Jolley, and Stewart Estes appeared on
2 behalf of Defendants. Rondi Thorp, David Turplesmith, and Jodi Thorp appeared
3 on behalf of Plaintiffs in *Bradley v. City of Spokane, et al.*, 2:24-CV-189. For the
4 reasons discussed below, the Court grants the motion.

5 **LEGAL STANDARD**

6 Where cases “involve a common question of law or fact,” Fed. R. Civ. P.
7 42(a) allows a court to: (1) join for hearing or trial any or all matters at issue in the
8 actions; (2) consolidate the actions; or (3) issue any other orders to avoid
9 unnecessary cost or delay.” “To determine whether to consolidate, a court weighs
10 the interest of judicial convenience against the potential for delay, confusion, and
11 prejudice caused by consolidation.” *Sw. Marine, Inc. v. Triple A Mach. Shop, Inc.*,
12 720 F. Supp. 805, 807 (N.D. Cal. 1989). “The district court has broad discretion
13 under this rule to consolidate cases pending in the same district.” *Invs. Rsch. Co.*
14 *v. U.S. Dist. Ct. for Cent. Dist. of California*, 877 F.2d 777 (9th Cir. 1989).

15 **DISCUSSION**

16 Plaintiff Sarah McLaughlin moves to consolidate her action with *Bradley v.*
17 *City of Spokane, et. al*, 2:24-CV-189. These related cases arise out of the same
18 incident—the police shooting of Robert Bradley. Although Defendants initially
19 opposed the motion, *see* 2:24-CV-286, ECF No. 15, they represented at the hearing
20 that they do not oppose consolidation through the resolution of dispositive

1 motions. The *Bradley* Plaintiffs likewise do not oppose the motion. Given the
2 cases' common questions of fact and a lack of opposition to consolidation through
3 the resolution of dispositive motions, the Court concludes consolidation through
4 the resolution of dispositive motions is warranted and serves the interest of judicial
5 economy.

6 While the Court is of the view that a joint trial is likely, it will revisit the
7 issue of a consolidated trial after resolving the parties' dispositive motions and
8 assessing which claims remain. Nevertheless, the Court instructs that Consolidated
9 Plaintiffs shall jointly adhere to LCivR 43(f). Finally, in consolidating these
10 matters, the Court denies Defendants' request to set limitations on discovery.

11 Accordingly, **IT IS SO ORDERED:**

- 12 1. The District Court Executive shall **CONSOLIDATE** 2:24-CV-286-
13 MKD **INTO** 2:24-CV-189-MKD.
- 14 2. The District Court Executive shall **CLOSE** 2:24-CV-286-MKD.
- 15 3. The parties shall **SUBMIT** all further filings in 2:24-CV-189-MKD.

16 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
17 Order and provide a copy to the parties.

18 DATED December 5, 2024.

19 s/Mary K. Dimke
20 MARY K. DIMKE
UNITED STATES DISTRICT JUDGE